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PROGRESS REPORT NO. 21

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(R10) - via Email
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CC: David Godlewski – TCAI (via Email)
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David Charters – EPA, Headquarters (via Email)
Lucinda Jacobs – Integral Consulting Inc. (via Email)

DATE: April 14, 2008

FILE NO: 1-773180-000

RE: Upper Columbia River (UCR) Remedial Investigation/Feasibility Study
(RI/FS) - Progress Report No. 21 Month Ending March 2008

Pursuant to Paragraph 39 of the June 2, 2006 Settlement Agreement (Agreement), the following is intended to provide a summary of the activities completed during the past month in compliance with the aforementioned Agreement. It is also intended to provide a brief summary of pending and on-going activities.

Following the March 2008 technical workshop, several helpful suggestions were offered for consideration and discussed for the draft surface water sampling and analysis plan (SAP). As a result of the technical discussions, the draft surface water SAP will be updated (e.g., additional input for human health considerations) prior to being submitted for official review and comment. As discussed during the workshop, it is also anticipated that additional technical input will be received from EPA and the participating parties (e.g., State of Washington Department of Ecology) during the week of April 14th (i.e., three weeks following the workshop). Therefore, it is expected that a copy of the draft surface water SAP can be made available for review and comment during the first half of May 2008.

Based on technical input as provided by EPA and summarized in a March 21, 2008 memorandum entitled "*Proposed Beach Surface Sediment Data Quality Objectives and Sampling Design Recommendations*" as prepared by Syracuse Research Corporation (SRC), the draft Phase 2 beach sediment SAP will need to be updated. It is anticipated that any comments from participating parties on the aforementioned memorandum will be received and reviewed by EPA by the end of this month; at which time, revisions to the draft Phase 2 beach sediment SAP will be resumed. Based on the information

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provided and summarized within the aforementioned memorandum, it is anticipated that once revisions to the Phase 2 beach sediment are commenced it can be submitted for review and comment by the end of May 2008. Although the sampling window for several beaches located in the reservoir portion of the site can not be met this year, it is anticipated that beach sediment samples in the upper portion of the site (e.g., north of China Bend) can be collected in the Fall of 2008 if appropriate.

In addition to the above mentioned SAPs, it is also anticipated that draft SAPs for white sturgeon toxicity testing¹ and fish tissue will be made available for review and comment in May 2008.

As noted on March 27, 2008 a site access agreement between the Department of Interior (DOI) and TCAI is in the process of being signed and will be finalized within the coming weeks. Similarly, a draft access agreement with the Confederated Tribes of the Colville Reservation (CCT) has been submitted for review and comment. At the time of writing, TCAI has not heard anything from the CCT on this matter but will continue to follow-up. Similarly, the Spokane Tribe of Indians (STI) did confirm that a site access agreement would also be necessary and TCAI is attempting to set-up a meeting with the appropriate representatives (e.g., John Matt and Randy Abrahamson) to discuss this matter further.

In addition to posting of all presentation and discussion items associated with technical workshops conducted to date (e.g., April 2007, January and March 2008), TCAI is also in the process of developing a tracking spreadsheet for these comments. As discussed during the March workshop, it is anticipated that such a tracking sheet will be available and posted on the project website in approximately one month.

A summary of activities (e.g., deliverables) completed to date, and those anticipated within in the near future, are presented within Table 1 below.

¹ As presented during the March 2008 technical workshop, the white sturgeon SAP will evaluate toxicity using whole water from the Columbia River and it will also evaluate relative sensitivity within the laboratory on early life-stages. Work completed under this SAP will be used to inform future studies within site boundaries.

Table 1. Upper Columbia River Remedial Investigation/Feasibility Study Summary of On-Going and Planned Activities

Task No.	Task Description	Status	Issues	Estimated Completion Date ¹
1.	2005 Field Data Transfer	Complete	None to report at this time	<u>July 31, 2006</u>
2.	Technical Memorandum ²	Complete	None to report at this time	<u>October 27, 2006</u>
3.	Draft RI/FS Work Plan	Complete	None to report at this time	<u>December 28, 2006</u>
4.	Sampling and Analysis Plan (SAP) ³	Complete	None to report at this time	<u>February 26, 2007</u>
5.	Health and Safety Plan	Complete	None to report at this time	<u>February 26, 2007</u>
6.	Cultural Resources Coordination Plan	Complete	None to report at this time ⁴	<u>February 26, 2007</u>
7.	Revised RMAO Memorandum ⁵	Complete	None to report at this time	<u>March 11, 2007</u>
8.	Additional Trail Data	Complete	None to report at this time	<u>May 6, 2007⁶</u>
9.	April Workshop Summary	Complete	None to report at this time	<u>July 12, 2007</u>
10.	Revised RI/FS Work Plan	Complete	None to report at this time ⁷	<u>September 21, 2007</u>
11.	Screening Level ERA	Complete	None to report at this time	<u>March 11, 2008</u>
12.	Surface Water SAP	On-Going	None to report at this time	<u>May 2008</u>
13.	Phase 2 Beach SAP	On-Going	None to report at this time	<u>May 2008</u>
14.	Fish Tissue SAP	On-Going	None to report at this time	<u>May 2008</u>
15.	White Sturgeon Surface Water Toxicity SAP	On-Going	None to report at this time	<u>May 2008</u>

- Notes:
1. Dates that have been underlined represent the actual day that the respective deliverable was submitted to EPA as per Paragraph 80 of the Agreement.
 2. As outlined within the Agreement, the technical memorandum outlines and described the Risk-Based Remedial Objectives for the Ecological Risk Assessment. Remedial objectives for the protection of human health will be prepared by EPA and submitted under separate cover at a later date.
 3. The Sampling and Analysis Plan (SAP) submitted in fulfillment of Paragraph 13 of the Agreement was the 2007 *Sediment Investigation of Beaches and Depositional Areas*.
 4. TCAI has been informed that revisions to the draft cultural resource coordination plan will be required. However, no specific revisions and/or requests have been identified or requested and as such, no edits can be made at this time.
 5. The draft technical memorandum on risk-based management action objectives (RMAOs) was revised per EPA's January 16, 2007 comments.
 6. Following a request outlined by EPA in a letter dated February 1, 2007 (received on February 5, 2007) TCAI has compiled additional information on the Trail Facility so as to assist in the identification of chemicals of concern (COIs) as outlined within Paragraph 24 of the Agreement. An electronic version of the deliverable was forwarded to EPA on May 6, 2007 with hard copies delivered shortly thereafter. In addition, a second deliverable identified as "*Business Confidential*" information was submitted to EPA legal counsel under separate cover on May 7, 2007 by Pillsbury Winthrop Shaw Pittman (i.e., TCAI legal counsel) on behalf of TCAI.
 7. At the time of writing, it remains uncertain as to when the RI/FS work plan will be approved.
 8. ERA = Ecological Risk Assessment
SAP = Sampling & Analysis

Should you have any questions or require any additional information, please do not hesitate to contact me at 509-892-2585.